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WAYZATA CITY COUNCIL
REGULAR MEETING MINUTES
April 19, 2016

AGENDA ITEM 1. Call to Order and Roll Call.

Mayor Willcox called the meeting to order at 7 p.m. Council Members present: Anderson, McCarthy, Mullin and Tyacke. Also present: Interim City Manager Reeder, Director of Planning and Building Thomson, Director of Public Service Dudinsky, and City Attorney Schelzel.

Mayor Willcox reported that Council met in a workshop session prior to the meeting to discuss the Mail Center/Gold Mine redevelopment plan, and to discuss concept plans for possible redevelopment of the Meyers Brothers property.

AGENDA ITEM 2. Approve Agenda.

Mrs. McCarthy noted that the agenda had been amended after packets had been distributed. She referred to new item No. 6c on the amended agenda, and stated the public has not had enough notice to know it is on the agenda, and requested it be held until a later time. Mrs. Anderson agreed and stated she has not had time to review the new item.

Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to approve the agenda with the removal of agenda item No. 6c Consideration of Temporary Encroachment Permit for Gianni's Steakhouse.

Mr. Tyacke stated this was put on the agenda because of the early outdoor dining season, and it needs to be reviewed. Mr. Willcox informed the Council it has to do with a pergola structure for Gianni's.

The motion carried 3/2. (Mullin and Tyacke)

Interim City Manager Reeder requested that the agenda be reordered to consider item No. 6b before item No. 3a.

Mrs. Anderson made a motion, seconded by Mrs. McCarthy, to amend the agenda to move item No. 6b before item No. 3a. The motion carried 5/0.

AGENDA ITEM 6. New Business.

b. Consider Approval of Emerald Ash Borer Management Project to Remove 32 Poorly Rated Ash Trees on City Rights-of-Way

Director of Public Service Dudinsky reported that letters have been sent out and signs have been posted regarding the removal of certain ash trees in the City rights-of-way. Staff has received three calls from residents who were in support of the removal, and one from a contractor asking about the tree replacement.

Mr. Dudinsky reported the cost for ash tree removal would be about \$8,000, and would begin on April 25 and last about two days. Staff recommends approval of staff's plan to remove 32 poorly rated ash trees on City rights-of-way.

Mr. Dudinsky commented volunteers are identifying legacy ash trees that will be treated after the Emerald Ash Borer has been identified in the City. Bids are being collected for treating ash trees on private property that are worth saving.

Mr. Tyacke asked if the replacement trees will come from the trees the City planted in the gravel nursery. Mr. Dudinsky replied yes, and they will be planted in the fall.

1 Mrs. Anderson asked if there was an opportunity for residents to select the type of tree they
2 would like planted on the adjacent right of way. Mr. Dudinsky said they are coming up with a plan
3 that lists the varieties that are available, and the residents can select from that list.

4 Mr. Tyacke made a motion, seconded by Mrs. Anderson to approve the Emerald Ash Borer
5 Management Project plan to remove 32 poorly rated ash trees on City rights-of-way as presented.
6 The motion carried 5/0.

7
8 **AGENDA ITEM 3. Public Forum – 15 Minutes (3 minutes per person).**

9 **a. Heritage Preservation Board Annual Report**

10 Kim Anderson, Chair of the Heritage Preservation Board (HPB), presented the 2015 HPB Annual
11 Report and goals for 2016. She reported the HPB's mission is to educate and increase awareness
12 for the preservation of historic sites around Wayzata. She highlighted activities of 2015, which
13 included the preservation of the Wise House, presentation of four Centennial House Awards,
14 awarding the Lynn Gruber home the Mayor's Best Preserved House Award, holding a Kids at the
15 Cabin event, participation in J.J. Hill Days, keeping up with Lake Effect and the Section Foreman's
16 House, as well as other HPB work.

17 Ms. Anderson commented that Sue Sorrentino retired from the HPB and thanked her for
18 all her years of volunteering and passion.

19 The Council congratulated Ms. Anderson on the Wise house, thanked her for securing a
20 grant for the Section Foreman's House, and encouraged others to participate in preservation.

21
22 Pat Broyles announced that the City's "Dig It" spring planting event will take place on Saturday,
23 May 21, at 8:30 a.m. at the Wayzata Public Works building.

24
25 **b. Civitas Presentation on Lake Effect Schematic Design**

26 Mayor Willcox stated that there will be a public forum for the public to speak about the Lake Effect
27 Schematic Design after the presentation from Civitas. He noted that people will be given three
28 minutes to speak. After everyone has spoken, Council will respond to the questions that were
29 raised. There will be no decision made by the Council tonight related to Lake Effect. The Council
30 will look at a possible resolution related to the Schematic Design and next steps at its meeting on
31 May 3.

32 Mayor Willcox gave a background on Lake Effect. A task force of citizens was put together
33 and St. Paul Riverfront was hired to help think through the possibilities. Civitas was hired to help
34 sort through and develop the possibilities presented by St. Paul Riverfront. The report given by
35 Civitas tonight is a reflection of what they have heard from the citizens. The City Council has been
36 a facilitator and participator, but has not driven the final recommendation.

37 Mayor Willcox highlighted the principles of the project: 1) Priority has been the citizens
38 of Wayzata and what would make the lake better for them; 2) Railroad safety; and 3) Ecological
39 restoration. In addition, he commented that outside funding has to be a major part of the Lake
40 Effect effort, that the project is not intended to drive development along Lake Street, and that there
41 will not be fees for the amenities.

42 Mark Johnson, Civitas, presented the Lake Effect Schematic Design to the Council. The
43 recommendations given are a place to start, not a conclusion. He reported the core values of the
44 proposal are: 1) Make it about the lake experience; 2) Make it environmentally sensitive; 3) Make
45 it for local residents; 4) Make it safe and accessible; and 5) Improve the lakefront without changing
46 the character of Wayzata.

47 Mr. Johnson reported on the details of the proposed Eco Park, Lakewalk, enhanced Lake
48 Street, Depot Park, expanded beach, Shaver Park, and potential Walker Street crossing. Phase 1
49 would cover the lakefront area and is estimated to cost \$11,910,000. Phase 1A would cover Lake
50 Street and is estimated to cost \$3,715,000. Phase 2, which includes Shaver Park and Walker Street
51 Crossing, would be an additional estimated \$3,395,000. The entire project is estimated to cost

1 \$19,020,000. Capital funds will require City funding, local, State and Federal grants, and private
2 contributors.

3 Mr. Johnson reported on operations and maintenance of the project once built. He noted
4 that it is easier to build something and harder to maintain it. There are three things to consider: 1)
5 Routine and capital maintenance; 2) Park programming; and 3) Administration. The City is
6 currently spending roughly \$115,000 annually on the lakefront, which includes 11.3 acres at
7 \$10,200 per acre. The proposed park plan is 16.3 acres with a cost of \$27,600 per acre and an
8 annual cost of \$450,000. Potential programming and administration costs could be up to \$25,000
9 to \$35,000 each per acre.

10 Mr. Johnson stated each city uses four sources of revenue in a different balance depending
11 on the character and purpose of the park. These include public contribution, value capture,
12 contributed income, and earned income. The City could generate \$1.9 million to \$2.5 million with
13 these sources of revenue.

14 At the conclusion of Mr. Johnson's presentation, Mayor Willcox opened up the public
15 forum on the Lake Effect Schematic Design presented by Civitas.

16 Dan Kane, 1600 Holdridge Circle, stated he does not like the proposed changes with the
17 marina, and expressed concern with the safety of boats going in and out of the marina and the diving
18 platform.

19 Gordy Straka, 130 Huntington Avenue, asked how Burlington Northern felt about the
20 project. He expressed concern for safety of people around the tracks and felt the project is
21 encouraging more people to cross the tracks. He suggested people come down through Shady Lane.

22 Kathleen Kasprick, 722 Widsten Circle, commented on the connection between the parking
23 garage and Lake Effect budget and does not think the numbers given by Civitas reflect the true cost
24 of the project to the citizens.

25 Tom Tanner, 191 Hunters Glen Road, stated he supports the project, and that he was part
26 of a group that met to create a concept for the community that would vitalize the community. Part
27 of the challenge is to keep business in the community during the winter when people head south,
28 and this project will help do that.

29 Jim McWethy, 1150 Lasalle Street, stated the Wayzata lakefront should be the crown jewel
30 of the community. The lakefront has been neglected too long and needs to be fixed.

31 Eric Brindley, 1809 Crosby Road, thanked everyone for all the work that has been done.
32 He is concerned about the proposed changes to the lagoon area, and asked if filling in the inner
33 lagoon and blacktopping it is a good ecology message. He has concern with the proposed plans for
34 the marina and the \$600,000 diving dock.

35 Terri Huml, 293 Grace Pointe Court, stated the future of Wayzata and the business
36 community is dependent on drawing young families into the area, and it is imperative to have a
37 lakefront that is an asset to the community. She trusts the Council and the decision it will make.

38 Dan Koch, 205 Bushaway Road, stated he supports the proposal and would like to see it
39 move forward to the next phase. The process has been transparent and he has been impressed with
40 the community engagement. The details will be figured out and should not derail the overall plan.

41 Joanie Holst, 121 Bushaway Road, stated her concern is about the scope, size, and cost of
42 the project. She does not want her taxes affected and supports a referendum vote for the project.
43 She is concerned about the proposed changes to the lagoon and the walking bridge, and does not
44 want a lagoon replaced with a parking lot.

45 Bette Hammel, 101 Promenade Avenue Apartment 413, stated she loves the proposed
46 lakewalk, does not want the lagoons changed, Shaver Park is fine the way it is, and does not support
47 the high dive. She supports some improvement to the beach, including benches and bathrooms.

48 Joann Leavenworth, 543 Harrington Road, commended Civitas on the beautiful plans they
49 provided. She is concerned with the marina, the diving platform at the beach, and that the cost of
50 the parking garage should be considered with this plan. She urged the Council to think carefully
51 before committing the residents to any financial obligations.

1 Ann Goodmundson, 373 East Park Street, stated she is opposed to using public money for
2 the cost of the project. She is concerned with the annual maintenance cost, and stated it is essential
3 that a referendum be held.

4 Pat Broyles, 212 Benton Avenue, stated these plans are beautiful, but she has a problem
5 spending TIF money on it or approving anything without a referendum. She expressed concern
6 with the beach surrounded by the boat docks, and is for the two lagoons staying the same. She likes
7 the idea of the boardwalk, but thinks a third crossing is unnecessary.

8 Gretchen Piper, 463 Highcroft Road, stated she was happy to see the issues, that were of
9 concern with the petition that has been going around, have been addressed. There still needs to be
10 an urban plan in place to address issues like congestion, traffic intersections, and signage. She is
11 excited about Lake Effect, but it feels too big and disconnected from the rest of Wayzata. She stated
12 the Council resolution accepting this plan from Civitas will have to be worded carefully.

13 Jane Hall, 398 Waycliffe Road, thanked the Council for their time and care for the Wayzata
14 residents. She stated there are no handicapped spaces anywhere on Lake Street. The residents do
15 not have the money to fund this project, and suggested everyone slow down and learn to live with
16 the changes they already have. She supports the beach improvements and requested a referendum.

17 Barry Petit, 420 Peavey Lane, stated he struggles with the issues yet to come in Wayzata
18 over which there is no control, and how it all weaves together in the big picture.

19 Beth Ulrich, 307 Manitoba, stated she has four children and is not concerned about the
20 safety issues brought up. The proposed spaces and events form community, and she supports
21 moving this project forward.

22 Elliott Randolph, 605 Park Street, commented on the scale, funding, and identity as a City
23 in relation to the project. He likes Phase 1, but suggested to limit programming funding and tone
24 down the scale of the project to match the small town feel of Wayzata.

25 Rima Torgerson, 465 Peavey Road, thanked the Council for their work and stated there is
26 work around safety and traffic that still needs to be done. She asked the Council to continue to
27 involve the community and proceed with the project in phases.

28 Dan Gustafson, 1040 East Circle Drive, supports moving the plan forward, as this project
29 is about the future of the town. He stated the railroad through town should be corrected, and there
30 is a need for more boat slips and a better beach. He asked why the citizens of Wayzata should get
31 to call the shots if they are not willing to pay for the improvements.

32 Carol Prince, 546 Harrington, expressed concern around the scale and scope of Lake Effect.
33 She urged the Council to think about the expense and congestion, and to build something that fits
34 the town.

35 Richard Morris, 16013 Holdridge Road, commented he is retracting his previous support
36 for a referendum. Civitas presented a great plan, but the City does not have to spend \$20 million to
37 make Wayzata a great place to live. There are a few improvements that could be made. He felt the
38 Council should take this plan, decide what needs to be done first, then present it to the residents for
39 a vote.

40 Louise Otten, 646 Indian Mound Street, commented she lives in the special improvement
41 district. She stated she read her property value will be increased five percent in five to ten years
42 and her taxes will go up 10% to 14% over the next 10 years. She believes the quality of life has
43 diminished in her area due to noise, air, and light pollution, and requested the Council look at the
44 bike lanes.

45 Merrily Babcock, 337 Reno Street, commented this project will be expensive to maintain.
46 She felt the Parks and Trails staff can barely take care of the 11 parks currently in Wayzata. If this
47 is a product of the citizens, then the citizens need to make the decision. She requested Council make
48 a decision on what is best for the community, come up with the cost projection, word the
49 referendum language clearly, and take a vote.

50 Cathy Iverson, 220 Central Avenue South, commented she would like to see improvements
51 to the current sidewalks and find ways to support retailers in the winter months. She read an email

1 from Joe McCarthy. It stated the ten-year total for this project could reach over \$35 million. The
2 project is brilliant but he supports a referendum. He feels the citizens have the right to evaluate
3 and raise questions.

4 Elissa Madsen, 344 Gardner Street, expressed concern with the proposed maintenance cost
5 of the Lake Effect proposal. She encouraged staff and Council to think about how the new plan will
6 be maintained when the current beach is not.

7 Sarah Showalter, 635 Wayzata Boulevard, stated she likes the proposed boardwalk, but has
8 concern for the cost and future maintenance of the overall project. She does not support the parking
9 ramp, and sees it as a ramp for people to access Lake Minnetonka, not for use by or the benefit of
10 the citizens of Wayzata. She suggested putting a pause on the parking ramp, and moving forward
11 with the boardwalk amenity that is truly for the residents of Wayzata.

12 Councilmember Mullin read a letter from Bob Ambrose, 15803 Holdridge Road East. It
13 stated he supports moving the plan forward and the top priority should be the Lakewalk and
14 associated shore enhancements. He likes the idea of making Lake Street more people friendly, the
15 Eco Park with the restored pond, fishing pier near the Section Foreman's House, and the beach
16 with a few refinements.

17 Mayor Willcox read a letter from Andrew Humphrey, 875 Lake Street North. It stated he
18 strongly supports the Lake Effect initiative, and that it is exactly what the community should be
19 investing in. He strongly urges against a referendum. The Council has studied the initiative with
20 care and depth, and a referendum would be an easy way out.

21 Mayor Willcox thanked Civitas and volunteers with the project, and the citizens of
22 Wayzata.

23 At the request of Mayor Willcox, City Attorney Schelzel explained that a referendum on
24 the Lake Effect Project could be held if the Council decided to authorize one. It would need to be
25 authorized by a resolution adopted by a four-fifths affirmative vote of the Council. A citizen
26 initiated referendum cannot be done in Wayzata because the Charter provides exclusive means for
27 doing a referendum. If Council decided to go forward with a referendum, it would have to be careful
28 about the specific question on the referendum. The City can have a referendum on anything
29 permitted by law, but there are only so many types of questions that can be put to a referendum.
30 For example, the referendum could not be advisory or an opinion poll. State law prohibits public
31 funds being expended for obtaining an advisory opinion. The City would also need to be careful
32 that the referendum does not constitute an improper delegation of the authority given to the Council
33 under State law, for example, to make decisions about public improvements. If public financing
34 were involved in the project, and the Council wanted to do an additional levy on the citizens, that
35 may require a referendum, as would issuing bonds for the project.

36 Mrs. Anderson asked if a park improvement district or process was set up to cover some
37 of the costs that would require a taxpayer financing revision, would that potentially be set up for a
38 referendum as well. Mr. Schelzel stated if it was an additional levy, a referendum would probably
39 be required.

40 At the request of Mayor Willcox, Mr. Johnson stated the need for the third railroad crossing
41 has to do with the distance of the boardwalk and the age of the community. 1,500 feet of walk for
42 an average healthy person is about a 15-minute walk. The additional crossing would be more
43 convenient and serve more people if there was an additional railroad crossing to break up the
44 distance of the boardwalk.

45 Transcribed verbatim at Mrs. Anderson's request:

46 *Mrs. Anderson: I don't have any other questions. I'd like to make some comments on this*
47 *while we have people here related to it since none of us on the Council never have really openly*
48 *talked about our thoughts or views related to this. That is, I think part of the whole discussion point*
49 *on this, or bringing this to the public forum. If people bear with me, I know it's late. It's a quarter*
50 *to ten and believe it or not, our Council meetings usually run a lot longer than this. So, I'd*
51 *appreciate you holding on just a little bit more.*

1 *I first want to thank everyone that came. A lot of you have left or those watching at home,*
2 *thanks for taking part and being involved. It shows that people truly do care around here and*
3 *getting up at speaking takes an extra little bit of courage, I realize that, and I appreciate you doing*
4 *that.*

5 *So I wrote down some thoughts and I'll just let it go from there. First of all, I wanted to*
6 *address, we have some common ground. I think this topic has made our community become a little*
7 *divisive, which is sad to say. But we do have some common ground. No one in the community is*
8 *against improving, from what I've heard, what we have along our shoreline. I haven't heard one*
9 *people say it shouldn't be improved or we can't do better. Thus, no one is against the Lake Effect*
10 *in concept. So when I hear people use language and say so and so is against Lake Effect or the*
11 *people who signed the petition are against Lake Effect or Bridget Anderson who sits up here on the*
12 *Council is against the Lake Effect, I strongly disagree with the misrepresentation. I think a lot of*
13 *everyone in this community truly wants to do something good by the lake.*

14 *Another area we have common ground in is people in our community care very much about*
15 *Wayzata and about the outcome and the direction of this community. We definitely all have that in*
16 *common. That is why we are all here.*

17 *There are differences, and you've heard them here tonight. How much. Where people differ*
18 *is to the degree, scale and amount of change that should take place in our community. On one side*
19 *of the table you hear people saying we must change, we need to change. While others don't want*
20 *any change at all. And balance needs to be found. By no means should we change for change itself,*
21 *but rather evolve into something that fits who we are. I think we heard a lot of that from people this*
22 *evening. Evolution takes time and it is gradual. Evolution provides time for things to adapt and*
23 *respond. When change is forced, it speaks loud and clear it is not part of a community's evolution*
24 *and does not take into account its surroundings and those that live within the change. And I think*
25 *several people have also stated that. We need to find what our identity is and things just aren't*
26 *feeling quite right with what's being proposed so far.*

27 *The approach. We are differing in the process in which this large-scale project like Lake*
28 *Effect is being decided. I think a lot of people are hoping that it becomes even more interactive and*
29 *collaborative as we move forward in what's decided. Maybe it's not a referendum, but it's other*
30 *ways in which people really get involved. Our citizenry in the 21st century is calling for city*
31 *government to open up channels through city charters and governance and allow for dialogue and*
32 *hear all the people with what they have to say. The community is calling for factual determined*
33 *plans related to financing and sustainability versus approaches where things are flushed out in the*
34 *process and monies are to be found along the way.*

35 *So, I also heard a bunch of people talk about kind of a bigger picture and a bigger scope*
36 *and you've heard the ramp brought up. I agree with that. I think we need to look at the fact that we*
37 *have this ramp going on and we have Lake Effect going on. Neither should be standalone projects.*
38 *They all involve monies that this community has to somehow come up with, find and identify in*
39 *order to maintain and operate. There are some proposals on how to do that, but I am not quite*
40 *feeling comfortable whether those are sustainable within our community.*

41 *So, we have precedent already in this community about maintaining things. You heard*
42 *Elissa Madson talk about the maintenance currently with our parks and things. Believe it or not,*
43 *the last park that was built was called The Nature Center. I don't even know if most people know*
44 *where that is or that it's a City park. It's located behind Jimmy Johns. It's the wetland. That was*
45 *built with TIF funding and it's a City park. It was never maintained and still is not maintained. The*
46 *money is not slotted to maintain it. So I have concerns with where we come up with the money to*
47 *maintain what is being proposed. Whether is \$330,000 a year or, at one point we were hearing*
48 *over \$3,000,000. Whether its programming or general maintenance, there is going to be a lot of*
49 *additional costs that are tied on to things that this community has to somehow figure out and we as*
50 *a Council have to be very cautious about.*

1 *So, with that said, and the scale and things, I would like to propose some sort of*
 2 *compromise, or at least this Council discuss as a compromise. This initial project many years ago,*
 3 *and I was part of all those, was about what are we doing with the parking lot on Lake Street sitting*
 4 *in front of the lake. Well, maybe that is what we should be focusing on once again. We love pilot*
 5 *programs in this town. Maybe a good compromise would be to take that parking lot and do what*
 6 *people thought about trying to do. Putting some grass over the top of it and laying down some*
 7 *really nice chairs that the Parks and Trails Board has already provided and some nice lights. For*
 8 *a couple of summers, see how we can absorb that sort of change. Can we absorb the lack of parking*
 9 *spaces that are there? Can we handle more people? What will we do with the traffic? Take some*
 10 *data points and see how it works out. Maybe it won't and we will learn a lot. Maybe it will and we*
 11 *will be able to grow bigger and be able to handle it. Will the City staff be able to handle it? I think*
 12 *this is a way that we can go, move forward without taking that giant leap of massive funding that*
 13 *we have to find, and the maintenance costs, and figure it out. We have to evolve and we have a lot*
 14 *of changes going on. To what one of our former mayors said, with uncontrolled development, we*
 15 *need to make sure we understand what that uncontrolled development will be moving forward, and*
 16 *let things settle as we go, and take a read on them.*

17 *So, I am hoping that my colleagues and this community can have future dialogues about*
 18 *those type of steps as we move forward. Civitas has done a great plan. It is beautiful. It is lovely.*
 19 *But to many people's point, I'm not sure if it fits quite yet to what this community wants, desires*
 20 *and can live with. So those are just my thoughts. I appreciate the opportunity to finally be able to*
 21 *voice those thoughts as a Council member. Hopefully we will be able to discuss those in the future.*
 22 *Thank you.*

23 Mr. Mullin asked if the Council should voice their views on the project. Mayor Willcox
 24 clarified the intent was to absorb what was heard in the public forum and deal with a resolution that
 25 states how the Council wants to proceed at the next Council meeting. At that point, the Council
 26 should debate what was heard during the public forum, what compromises would be appropriate,
 27 and how to structure itself moving forward to consider this project.

28 Mr. Mullin thanked everyone for being at the meeting.

29
 30 Mr. Willcox gave an update on an appeal of a City decision to deny a land use application involving
 31 the pink building on Lake Street, and stated the Court of Appeals upheld the City's decision, finding
 32 in favor of the City.

33
 34 Mayor Willcox recessed at 9:52 p.m. and reconvened at 10:07 p.m.

35
 36 **AGENDA ITEM 4. New Agenda Items.**

37 Mrs. Anderson requested an update from staff on the status of the tree ordinance and the
 38 enforcement of the conditions associated with the PUD and art with Walgreens. Director of
 39 Planning and Building Thomson stated the tree ordinance is scheduled for review at the next
 40 Council meeting, and he will follow up with Walgreens and get back to the Council at a later date.

41
 42 **AGENDA ITEM 5. Consent Agenda.**

43 Director of Planning and Building Thomson commented in relation to the Parking Ordinance, the
 44 Planning Commission wanted the Council to know it was not their intention to restrict the height
 45 of the landscaping on the sides and rear of parking lots. It was only restricted on the front to be
 46 consistent with the design standard and that is how it is reflected in the meeting packet.

47 Mr. Tyacke commented on the Mediacom report. He is still concerned with the standards
 48 that are being met with local service and requested Mediacom give the quarterly report in person
 49 so the Council can respond and communicate comments from the community that need to be
 50 addressed.

51 Mrs. McCarthy made a motion, seconded by Mr. Mullin, to approve the consent agenda:

- 1 a. Approval of City Council Workshop Minutes of April 5, 2016 City Council Regular
 2 Meeting Minutes of March 15 and April 5, 2016
 3 b. Approval of Check Register
 4 c. Municipal licenses which received administrative approval (informational only)
 5 d. Approval of Municipal Licenses
 6 e. Police Activity Report
 7 f. Building Activity Report
 8 g. Mediacom Quarterly Report
 9 h. Consider Second Reading of Ordinance No. 758 – Parking Ordinance
 10 The motion carried 5/0.

11
 12 **AGENDA ITEM 6. New Business - continued.**

13 **a. Consider Approval of Contract with HGA for Mill Street Parking Ramp Design**

14 Interim City Manager Reeder reported the City Attorney's office had reviewed the contract
 15 proposed by HGA and the changes requested by the Council at the last meeting. The other changes
 16 made in the current draft relate to the cost of the architect depending on whether or not there was a
 17 roof. The contract reflects a reduced cost in the basic price, which gives more credit to the \$70,000
 18 amount that was spent on predesign. There is also a specific cost outlined for the architect's work
 19 for each type of roof that may go on the ramp, including no roof. Staff is still working on securing
 20 a City representative to work on this project to ensure the best possible value for the ramp to the
 21 City. Council will also meet with the HRA during a work session to talk about the ramp. The
 22 approval of this contract is subject to the approval of the HRA allowing the City to move forward
 23 on the property with the ramp.

24 Mr. Tyacke asked about the pricing of the architect's work at \$553,375 and if that includes
 25 the credit of the predesign. Mr. Reeder stated that is correct.

26 Mr. Tyacke referred to wording in the attachment about the issue "the owner intends to
 27 follow the procurement of delivery method and competitive bidding as specified" and asked if that
 28 still allowed for the City to hire its own agent or owner's representative to work with staff as part
 29 of the City's representation on the site. Mr. Reeder stated the language in the contract does not
 30 preclude the City from hiring its own representative.

31 Mr. Tyacke made a motion, seconded by Mr. Mullin, to approve the contract between the
 32 City of Wayzata and Hammel, Green and Abrahamson for the design and management of the
 33 bidding process and oversight of the construction of a parking ramp on the Mill Street site, subject
 34 to the approval of the Wayzata Housing and Redevelopment Authority to allow the City to construct
 35 a ramp on this site.

36 Mrs. Anderson clarified this is a contract for design, not a final vote on financing or design.
 37 It allows HGA to move forward to complete a final design. Mr. Willcox stated they will be working
 38 on a concept that the steering committee came up with and the roof decision is still forthcoming.

39 Mr. Reeder stated they have retained the existing steering committee to continue working
 40 with HGA on the design as they move forward. The schematic design will be completed in six
 41 weeks and will include a decision on cladding and the type of roof or no roof. Construction bids
 42 will begin in September with construction beginning in October. The bids are needed in order to
 43 understand the financing for the project.

44 The motion carried 5/0.

45 Mrs. McCarthy thanked Mr. Tyacke for his role as the liaison on the project, the consultants
 46 for their ability to articulate what the Council and community wanted in a ramp, and staff.

47
 48 **b. Consider Approval of Emerald Ash Borer Management Project to Remove 32 Poorly**
 49 **Rated Ash Trees on City Rights-of-Way**

50 This item was considered prior to item No. 3.

1 **AGENDA ITEM 7. City Manager's Report and Discussion Items.**

2 **a. Other**

3 Mayor Willcox announced the Dig-it event on May 21.

6 **AGENDA ITEM 8. Public Forum Continued (as necessary).**

7 There were no comments.

9 **AGENDA ITEM 9. Adjournment.**

10 Mrs. McCarthy made a motion, seconded by Mr. Tyacke to adjourn. There being no further
11 business, Mr. Willcox adjourned the meeting at 10:23 p.m.

12
13 Respectfully submitted,

14
15 *Becky Malone 05-17-2016*

16
17 Becky Malone
18 Deputy City Clerk

19
20 Drafted by Shannon Schmidt
21 *TimeSaver Off Site Secretarial, Inc.*